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Letter dated 28 November 2018 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

With reference to the letter dated 20 November 2018 from the Permanent Representatives of France, Germany and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council, wherein the missile attack by the Iranian armed forces against terrorist elements in Syria was incorrectly assessed to amount to ballistic missile activity inconsistent with paragraph 3 of annex B of resolution 2231 (2015) of the Security Council, I would like to bring the following to your attention:

As it has been made clear in the letter dated 3 October 2018 from the Islamic Republic of Iran (S/2018/891), the Iranian armed forces targeted terrorist elements in Syria only on 1 October 2018. Therefore, the reference to "30 September" in the aforesaid letter is inaccurate.

On different occasions in the past, including in its letters dated 23 March 2016 (S/2016/279), 17 July 2016 (S/2016/626), 29 June 2017 (S/2017/560), 23 August 2017 (S/2017/731) and 28 August 2017 (S/2017/739), the Islamic Republic of Iran has firmly rejected any arbitrary interpretation of the provisions of resolution 2231 (2015), including paragraph 3 of its annex B, according to which Iran is called upon "not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons".

The deliberate addition of the phrase "designed to be" to the wording "capable of delivering nuclear weapons" used in terminated Security Council resolution 1929 (2010) was a deliberate modification following lengthy negotiations in order to exclude Iran's defensive missile programme that is "designed" to be exclusively capable of delivering conventional warheads. Therefore, since none of Iran's missiles are "designed to be capable of delivering nuclear weapons", paragraph 3 of annex B of resolution 2231 (2015) in no way limits activities related to the conventional ballistic missiles of the Islamic Republic of Iran.

Accordingly, Security Council resolution 2231 (2015) is quite clear and devoid of any ambiguity when it comes to ballistic missiles. It does not prohibit legitimate and conventional military activities, nor does international law disallow them. Neither of the missiles of the Islamic Republic of Iran are "designed to be capable of delivering nuclear weapons", nor it has undertaken any activity related to ballistic missiles "designed to be capable of delivering nuclear weapons". Therefore, Iran's related activities not only are in no way inconsistent with the resolution but also fall outside of its purview.

Iran has never sought to acquire nuclear weapons and never will in the future, as it fully honours its commitment under the Treaty on the Non-Proliferation of Nuclear Weapons and the Joint Comprehensive Plan of Action. Moreover, the language in paragraph 3 of annex B of resolution 2231 (2015) is clearly not mandatory. Therefore, Iran calls upon all parties to act in good faith and refrain from provocations.

In that letter, an attempt was made to reinterpret paragraph 3 of annex B of resolution 2231 (2015) by invoking the criteria contained in the Missile Technology Control Regime. It is crystal clear that in paragraph 3 of annex B of resolution 2231 (2015) there is no implicit or explicit reference either to the Missile Technology Control Regime or to definitions and criteria contained therein; therefore, none of those criteria or definitions are applicable to this paragraph. Accordingly, we reject any attempt to reinterpret paragraph 3 of annex B of resolution 2231 (2015) by means of definitions or criteria contained in the Missile Technology Control Regime, which is only a political understanding between a 35-member exclusive and closed export control club serving the commercial and security interests of its members.

As a country living in the most unstable and volatile region of the world, the Islamic Republic of Iran is fully entitled to build a credible conventional capability to deter and defend against any aggression. As part of that capability, the missile programme of Iran is a legitimate defence capability against security threats and an effective means for exercising the right to self-defence in the event of any armed attack, including terrorist actions.

Recalling that the Security Council, in its press statement issued on 24 September 2018 (SC/13523) following the 22 September 2018 terrorist attack in Ahvaz, "underlined the need to hold perpetrators, organizers, financers and sponsors of these reprehensible acts of terrorism accountable", it is extremely disappointing and highly questionable that at a time when there is a dire need to suppress terrorist groups in such a volatile region as the Middle East, certain States choose to describe the antiterrorist missile operation by the Iranian armed forces on 1 October 2018 against terrorist elements in Syria as "destabilizing" and increasing "regional tensions". It is obvious that such a politically motivated expression has nothing to do with the subject of resolution 2231 (2015) and thus is inconsistent with its letter as well as spirit and needs to be avoided.

Indeed, a high priority should be accorded to "promoting the adherence to resolution 2231 (2015) by all States", as stated in that letter. This should be a consistent policy and should be applied to all countries, in particular those with a documented track record of violating its provisions and those taking subversive measures in its implementation, while, according to the resolution, they should refrain from taking any such actions.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Eshagh **Al Habib**
Ambassador
Chargé d'affaires a.i.